

June 1990

The Nemesis

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Recommended Citation

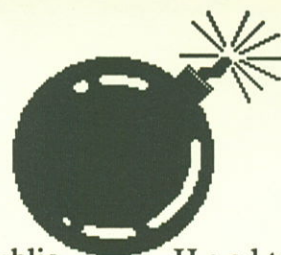
Hamaker, Chuck (1990) "The Nemesis," *Against the Grain*: Vol. 2: Iss. 3, Article 10.

DOI: <https://doi.org/10.7771/2380-176X.2270>

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The Quotable Nemesis

by Chuck Hamaker (LSU)



The Maxwell machine marches on: into American Tabloids, notes the *Wall Street Journal* (May 17, 1990). Maxwell is purchasing from Canadian Globe International Publishing three "freaks and geeks" titles: *Sun*, *National Examiner*, *Globe*. *WSJ* notes "the quality of the publications, which are profitable, may matter less than the national distribution system they use — the true object of Mr. Maxwell's desire," in the view of some industry experts. He also bought the Globe Marketing Services, with a "500-person field force that

distributes magazines and newspapers in supermarkets and convenience stores nationwide and negotiates for premium display space. Mr.

Maxwell could use the operation to distribute other companies' publications for a fee and, more likely, to distribute publications he wants to start and acquire." Maxwell owns several UK tabloids as well, including the *Daily Mirror* which regularly runs scantily clad women. In the UK he competes with Rupert Murdoch's *Sun*. Competition in the U.S. includes *National Enquirer*, *Star*, and *Weekly World News*. In 1989 Maxwell lost a bid for the king of tabloids in the U. S., the *National Enquirer*. The tabloids he did buy are "the racier, raunchier and riskier of the tabs." 'Jesus is Already Back on Earth' was a recent headline from the *National Examiner*. Purchase price topped \$100 million. Another Maxwell

purchase just announced was the only large print publisher in the U. S., Thorndike, whose specialty niche is older adults.

The Ralph Nader founded National Coalition for Universities in the Public Interest has adopted the case of Dr. Heidi Weissman, a physician at Montefiore Hospital and researcher at the Albert Einstein College of Medicine. An ad in the May 13 issue of the *New York Times* (section D-E p. 19) headed "Protecting a Plagiarist" describes her ouster from her office

"...law does not give federal grantees exclusive rights to the data they produce."

after a U. S. Court of Appeals judged that Dr. Leonard Freeman of Einstein/Montefiore had appropriated a chapter she wrote on Nuclear Medicine in 1986 and again in 1987. Einstein/Montefiore has continued paying Dr. Freeman's salary and appeals, up to the Supreme Court level. He was promoted to Vice-Chairman of the Unified Department of Nuclear Medicine two months after the plagiarism was discovered. The ad suggests Dr. Freeman's involvement with a pharmaceutical company is so important to the College of Medicine that he is in essence protected from the effect of his actions. The ad is a plea to "Please help us fight scientific misconduct."

The Public Health Service held a Workshop on Data Management in Biomedical Research the 25th and 26th of April sponsored by the Office of Scientific Integrity Review. "The main reason the Public Health Service (PHS) called the meeting is that it has encountered confusion more than a few times when it asked researcher to provide backup material in defense of a published report." Material produced by researchers was often inadequate to show how the work

was done, and often little data, or data that could only be interpreted by the author was offered. There was some indication at the workshop that

PHS was really interested in mandatory archiving. Michael Jackson, dean of the George Washington University Medical School, suggested that mandatory archiving of data for 3 years would add "two points" to the indirect cost rate charged to federal grants. I think he needs to talk to University Archivists about costs and prospects for archiving researchers' records. A former PHS attorney noted that the "law does not give federal grantees exclusive rights to the data they produce. 'No one has an absolute ownership interest, as you have with a piece of land' Federal data rights according to the attorney are like water rights; they may restrict access, but they require sharing and forbid pollution." This

is an important concern that, given growing awareness of the importance of good record keeping to document scientific results fits closely with library and archives policies and missions. See *Science* (4 May, 1990) p. 544-545 for the whole article.

The same issue of *Science* has an editorial "Wiring the Campuses" (p.529) by Dr. Richard C. Atkinson, Chancellor and Donald W. Anderson, Dean of Natural Sciences, University of California, San Diego, La Jolla which is must reading for anyone wondering how our campuses will be able to pay for fiber optics wiring. [See this issue page 35] The costs are so high, and the benefits so important, that the editorial argues for federal monies to create a system as important to education and research as the interstate system is to commerce. For similar reasons the federal government should provide matching funds to help develop local networks to "wire" the campuses. If this doesn't happen the authors argue, American universities will lose the competitive edge they now enjoy over the rest of the world.

The annual report we should all read is now available; Elsevier's 1989 report arrived today. Excluding income from companies divested, scientific information net sales were 25% of net sales and American publishing activities accounted for 32% of net sales, up from 22% in 1988. Subscriptions accounted for 38% of sales, books and single copy sales about 23%. Sales to the U.S. accounted for 38% of net sales, up from 29% of net sales in 1988. Sales to the Netherlands declined as a percentage of net and the rest of Europe and Japan were flat as percentage of sales. Clearly, Elsevier's American involvement is the main growth area for income.

For 1989, the pay-out to shareholders related to net operating income will be 39% (1988: 38%). In prospects for 1990: "It is expected that the science publishing companies will continue their profit growth." Scientific information staffing levels for Elsevier are as of December 31, 1989 at 1,746 full-time basis employees, up from an 1988 level of 1,701. However, labour costs as a percentage of net sales decreased from 35% in 1988 to 34% in 1989. Since staffing levels overall were up about 7% and staff and labour costs were up about 10%, Elsevier employees seem not to have shared much in this excellent year, unless of course they had significant shareholdings. Trading income as a percentage of labour costs was at 49%." "Trading income" is not defined very clearly, so I can't comment on this figure, but it seems important to the executive board. Overall, however, it looks like Elsevier's single largest expense is, much like libraries, for personnel.

In *Library Editions* (Winter, 1990) from the University of Alberta, an article describing in some detail efforts in Canada towards a united action on serials prices, the "Serials Renewals Negotiations Project" is highlighted. As a unique cooperative effort, and the first look at overall sales to Canadian libraries of 8 of the larger publishers, it is an important article. As in many U.S. libraries, Elsevier leads the pack in terms of subscription costs, with Springer-Verlag second, Pergamon third, Plenum fourth and Gordon and Breach fifth. In number of copies sold to this group of Canadian libraries, Elsevier is first, Pergamon second, Springer third, Plenum fourth, and Gordon and Breach is 8th. Regarding a certain lawsuit, which has journal prices as an issue, "...our efforts to cope

have been further jeopardized by the legal hazards of even discussing [high price of journals] in a public forum. A British commercial publisher...demands retractions and damages from the AIP for statements published in *Physics Today* about the value and cost-effectiveness of his very expensive physics journals. If one cannot woo the consumer with high quality and low cost, legal intimidation may be the last resort." (p.1) The Canadians are a feisty bunch, *n'est pas*?

Another *Wall Street Journal* article of interest (May 15, 1990, pp. B1, B7): "False Impressions' Can Spur Libel Suits, Even if the News Media Get the Facts Right." The article by Amy Dokser Marcus, staff reporter for *WSJ* notes that "In a growing number of cases, public figures are suing on grounds that an article created a false impression, even if each statement taken separately was true. And recently, juries have shown a willingness to grant big awards in such cases." One of the suits discussed is Wayne Newton's suit against NBC's evening news segment of Oct. 6, 1980. Newton claimed the report created the impression he had received financial assistance from organized-crime figures to finance the purchase of a hotel. A lawyer for NBC claims that such a suit from a public figure "Will chill reporting about public figures and issues of public concern." One First Amendment lawyer noted that defending false-impression suits is "like trying to nail jellyfish to the wall...impressions are amorphous and imprecise."

Over and out . . .

